

FILED 11 MAR 18 10:34USDC-ORM

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

MARY E. HOGANSEN,
Plaintiff,

Civ. No. 09-6240-CL

v.

MICHAEL J. ASTRUE,
Commissioner of Social
Security

ORDER

Defendant.

PANNER, District Judge:

Magistrate Judge Mark D. Clarke filed a Report and Recommendation, and the matter is now before this court. See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). Although no objections have been filed, this court reviews the legal principles *de novo*. See Lorin Corp. v Goto & Co., Ltd., 700 F.2d 1202, 1206 (9th Cir. 1983).

I have given the legal issues *de novo* review. I agree with Magistrate Judge Clarke that the ALJ erred in evaluating the

opinions of Drs. Brewster and Alley, and that this case should be remanded for further proceedings rather than an award of benefits. Accordingly, I ADOPT the Report and Recommendation of Magistrate Judge Clarke.

CONCLUSION

Magistrate Judge Clarke's Report and Recommendation (#19) is adopted. Pursuant to sentence four of 42 U.S.C. § 405(g), the decision of the Commissioner is reversed and remanded for further proceedings consistent with the Report and Recommendation.

IT IS SO ORDERED.

DATED this 18 day of March, 2011.



OWEN M. PANNER
U.S. DISTRICT JUDGE